

# EXHIBIT FF

**In the Matter Of:**

**UNITED STATES vs STATE OF GEORGIA**

1:16-CV-03088-ELR

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**JACQUELINE NEAL, PH.D.**

*January 19, 2023*

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1 review to see how we are progressing. So in general to  
2 him, just kind of doing general supervision over, you  
3 know, management of the program, communication with the  
4 board. He also kind of helps with the, you know,  
5 personal learning goal.

6 Q And I hear what you said about being assessed  
7 on how much you've reached the goals that were set  
8 earlier in the year. Are you assessed on any other  
9 criteria?

10 A Like I said, I'm sure there's other general  
11 criteria. Like I said, we've got a different structure  
12 this year, so primarily it's, you know, been around  
13 establishing our -- my learning goal so far is what we  
14 have been discussing, so...

15 Q What about in previous years with different  
16 directors, how are you assessed?

17 A So in general, there has not been a particular  
18 instrument that's been used. Just every year annually,  
19 you know, I get feedback and opportunities to kind of  
20 talk about strengths and weaknesses and where I'm going.

21 Q Outside of the director of the RESA, does  
22 anyone else provide you feedback?

23 A GaDOE, you know, on the strategic plan  
24 implementation will provide feedback.

25 Q And what individuals from GaDOE provide that

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1 feedback?

2 A Vickie Cleveland, primarily. She has an  
3 assistant, LaKesha Stevens, who works with her, but it  
4 primarily comes from Vickie.

5 Q And is any of this feedback provided in  
6 writing?

7 A Sometimes.

8 Q What feedback is provided in writing?

9 A So our last full strategic plan review was in  
10 2019, and there was documentation provided for that.  
11 Sometimes it's an e-mail communication.

12 Q And who maintains that, those documents?

13 A I guess we do.

14 Q And are any of your other evaluations done by  
15 the RESA provided in feedback -- sorry, provided in  
16 writing?

17 A Yeah, they should be on file here.

18 Q And what are your job responsibilities as  
19 director of NorthStar?

20 A So pretty much all operational activities, so  
21 that's everything from HR activities. We do have a  
22 collaborative relationship with the RESA, so they provide  
23 some of our human resources support, as well as budgeting  
24 support and those kinds of things; but I have primary  
25 responsibility in those areas. So hiring; supervising

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1 back to meet with my coordinators who I will be working  
2 most directly with.

3 Q And is there any variation in this process if  
4 it's a teacher versus an administrator or other staff?

5 A No, not really.

6 MS. CHEVRIER: I'd like the court reporter -- I  
7 guess it's already marked as Exhibit 384. I don't want  
8 to just throw it at you.

9 MR. NGUYEN: Feel free.

10 Q BY MS. CHEVRIER: This is an e-mail from you,  
11 Dr. Neal, to Vickie Cleveland and Nakeba Rahming dated  
12 December 14th, 2017, correct?

13 A Yes.

14 Q And the Bates number is GA00014291.

15 A Okay.

16 Q You were forwarding an e-mail from Kathy  
17 Bierce, correct?

18 A Correct.

19 Q Do you recognize this e-mail?

20 A Yes. I mean, it obviously came from me. I  
21 don't remember it, but...

22 Q But you have no reason to believe it was  
23 fabricated?

24 A Right. Exactly.

25 Q Who is Kathy Bierce?

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1 A She was my secretary.

2 Q And do you see where it lists that there are  
3 two attachments to this e-mail?

4 A Yes.

5 Q And let's turn to the first attachment, which  
6 is Bates number GA00014292.

7 Do you see this document is titled "FY18 GaDOE  
8 Approved GNETS Temporary Therapeutic Services Assurances  
9 GNETS NorthStar Educational and Therapeutic Services"?

10 A Yes.

11 Q And do you recognize this document?

12 A I do.

13 Q What is meant by assurances in this context?

14 A So -- and I neglected -- I wasn't thinking  
15 about this situation when I answered previously, but for  
16 the last few years, just due to some of the difficulties  
17 we've had with budget, GaDOE -- and I'm not sure  
18 that Orion (phonetic) -- Orion, I believe, received a  
19 grant, and they've been helping with funding of  
20 therapeutic positions, specifically a therapeutic  
21 position I have open in Fannin County.

22 Q And is it correct that this document is a list  
23 of assurances?

24 A It is.

25 Q And do you see number 6 which reads, "GaDOE

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1 will coordinate with service providers to ensure that  
2 there is an understanding of the type of services that  
3 will be required for GNETS and ensure that the contracted  
4 therapeutic professional meets the necessary  
5 qualifications to provide counseling/therapy for  
6 students"?

7 A Yes.

8 Q What do you understand this to mean?

9 A So the State agreed to provide the funding as  
10 long as we could hire someone that was a certified, you  
11 know, staff, so either a social worker or licensed  
12 professional counselor.

13 Q And what are the necessary qualifications to  
14 provide counseling and therapy for students that GaDOE  
15 was ensuring were met?

16 A If they have approved credentials, so again,  
17 like a degree; in this case, a master of social workers  
18 for this particular candidate, as well as certified by  
19 the State of Georgia.

20 Q And does GaDOE have decision-making power  
21 regarding other staffing choices at NorthStar?

22 A We have out of the CARES grant money, we didn't  
23 have to assign an assurance, I don't think, quite like  
24 this, but there was similar expectations stated.

25 Q And can you tell me about those expectations?

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1           A Again, a degreed professional with  
2 certification.

3           Q And how were those expectations shared with  
4 you?

5           A Directors meeting, I believe.

6           Q And who was it that shared those expectations  
7 with you?

8           A Vickie Cleveland.

9           Q Okay. And you said before that you weren't  
10 thinking about this context when you answered a previous  
11 question of mine. What question was that?

12          A Just, I guess, the process for hiring her was  
13 the same as if I hired any of my other staff. The only  
14 difference was the coordination with the funding through  
15 the State.

16          Q And by "her," you mean the person who fulfilled  
17 this therapeutic role?

18          A Correct.

19          Q Okay. And were there any additional steps not  
20 outlined in this e-mail that the State took with regard  
21 to that position being hired?

22          A Other than just stipulating, you know, the type  
23 of professional we could have hired.

24           MS. CHEVRIER: Okay. I'd like the court  
25 reporter to mark this next document as Plaintiff's

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1 and obtain any consents that need to be obtained to help  
2 facilitate communication. And then at the agreed -- the  
3 date agreed by the IEP committee, the student would start  
4 services.

5 Q And does NorthStar keep record of who is  
6 referred to the GNETS program and the outcome of those  
7 referrals?

8 A No, not -- I don't have an official document  
9 that I maintain.

10 MS. CHEVRIER: Okay. I'm going to ask the  
11 court reporter to please mark this next exhibit as  
12 Plaintiff's Exhibit 851.

13 (Plaintiff's Exhibit 851 was marked for  
14 identification.)

15 Q BY MS. CHEVRIER: And we have added a temporary  
16 Bates number NORTHSTAR\_TEMP\_000273.

17 This is the GNETS request for consultation  
18 form, correct?

19 A Yes, ma'am.

20 Q Do you recognize this document?

21 A I do.

22 Q Who created this document?

23 A The State. Well, a committee, I believe,  
24 with -- within the GNETS directors.

25 Q And what committee is that?

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1           A It was just a group of GNETS directors that  
2 worked together to look at ways we were collecting this  
3 initial information and come up with a standard form. I  
4 don't even remember what the committee's name was.

5           Q And were you a part of that committee?

6           A No, not this one.

7           Q Okay.

8           A I don't think.

9           Q Do you know who, if anyone, directed the  
10 committee to create this form?

11          A That might have been back when Nakeba was  
12 leading us.

13          Q Okay. So this is Nakeba Rahming --

14          A Yeah.

15          Q -- from GaDOE?

16           What is this document used for?

17          A This is the initial information we use when  
18 they want us to begin to look at a student for  
19 consideration of services.

20          Q And who fills --

21          A Or actually, this one -- I apologize. This is  
22 for consultation. Sorry.

23          Q So this document is used to request GNETS  
24 consultation?

25          A Yes. Yes.

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1 Q And who fills out this form?

2 A The LEA.

3 Q And does NorthStar receive a filled out version  
4 of this for every student who is referred for its  
5 services?

6 A For any student they are requesting  
7 consultation on.

8 Q Okay. And so there aren't any circumstances  
9 under which a student would start receiving NorthStar  
10 services without this form initiating?

11 A No.

12 Q Do you see on this document where it says,  
13 "Check the Consultative Services you would like for GNETS  
14 to provide," and then it says, "Choose one"?

15 A Yes.

16 Q It's -- it then lists participation in a  
17 planning meeting, FBA coaching, BIP planning, et cetera,  
18 correct?

19 A Yes.

20 Q Are these services that NorthStar provides?

21 A Yes.

22 Q And who provides these services?

23 A I do.

24 Q So if an LEA checked off functional behavioral  
25 assessment coaching, you would provide the functional